

House File 645

H-1376

1 Amend House File 645 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I
5 FY 2017-2018

6 Section 1. JUDICIAL BRANCH.

7 1. There is appropriated from the general fund of the state
8 to the judicial branch for the fiscal year beginning July 1,
9 2017, and ending June 30, 2018, the following amounts, or so
10 much thereof as is necessary, to be used for the purposes
11 designated:

12 a. For salaries of supreme court justices, appellate court
13 judges, district court judges, district associate judges,
14 associate juvenile judges, associate probate judges, judicial
15 magistrates and staff, state court administrator, clerk of the
16 supreme court, district court administrators, clerks of the
17 district court, juvenile court officers, board of law examiners
18 and board of examiners of shorthand reporters and judicial
19 qualifications commission; receipt and disbursement of child
20 support payments; reimbursement of the auditor of state for
21 expenses incurred in completing audits of the offices of the
22 clerks of the district court during the fiscal year beginning
23 July 1, 2017; and maintenance, equipment, and miscellaneous
24 purposes:

25 \$175,686,612

26 b. For deposit in the revolving fund created pursuant to
27 section 602.1302, subsection 3, for jury and witness fees,
28 mileage, costs related to summoning jurors, costs and fees for
29 interpreters and translators, and reimbursement of attorney
30 fees paid by the state public defender:

31 \$ 3,100,000

32 2. The judicial branch, except for purposes of internal
33 processing, shall use the current state budget system, the
34 state payroll system, and the Iowa finance and accounting
35 system in administration of programs and payments for services,

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1 and shall not duplicate the state payroll, accounting, and
2 budgeting systems.

3 3. The judicial branch shall submit monthly financial
4 statements to the legislative services agency and the
5 department of management containing all appropriated accounts
6 in the same manner as provided in the monthly financial status
7 reports and personal services usage reports of the department
8 of administrative services. The monthly financial statements
9 shall include a comparison of the dollars and percentage
10 spent of budgeted versus actual revenues and expenditures on
11 a cumulative basis for full-time equivalent positions and
12 dollars.

13 4. The judicial branch shall focus efforts upon the
14 collection of delinquent fines, penalties, court costs, fees,
15 surcharges, or similar amounts.

16 5. It is the intent of the general assembly that the offices
17 of the clerks of the district court operate in all 99 counties
18 and be accessible to the public as much as is reasonably
19 possible in order to address the relative needs of the citizens
20 of each county.

21 6. In addition to the requirements for transfers under
22 section 8.39, the judicial branch shall not change the
23 appropriations from the amounts appropriated to the judicial
24 branch in this division of this Act, unless notice of the
25 revisions is given prior to their effective date to the
26 legislative services agency. The notice shall include
27 information on the branch's rationale for making the changes
28 and details concerning the workload and performance measures
29 upon which the changes are based.

30 7. The judicial branch shall submit a semiannual update
31 to the legislative services agency specifying the amounts of
32 fines, surcharges, and court costs collected using the Iowa
33 court information system since the last report. The judicial
34 branch shall continue to facilitate the sharing of vital
35 sentencing and other information with other state departments

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1 and governmental agencies involved in the criminal justice
2 system through the Iowa court information system.

3 8. The judicial branch shall provide a report to the general
4 assembly by January 1, 2018, concerning the amounts received
5 and expended from the enhanced court collections fund created
6 in [section 602.1304](#) and the court technology and modernization
7 fund created in [section 602.8108, subsection 9](#), during the
8 fiscal year beginning July 1, 2016, and ending June 30, 2017,
9 and the plans for expenditures from each fund during the fiscal
10 year beginning July 1, 2017, and ending June 30, 2018. A copy
11 of the report shall be provided to the legislative services
12 agency.

13 Sec. 2. 2013 Iowa Acts, chapter 140, section 40, subsection
14 3, is amended to read as follows:

15 3. Notwithstanding subsections 1 and 2, in the fiscal
16 year beginning July 1, 2017, and ending June 30, 2018, the
17 supreme court may increase the annual salary rates specified
18 in subsection 2, by an amount not to exceed two and one-half
19 percent of the salary rate established for each judicial
20 position in subsection 2. Persons receiving the salary rates
21 established under this section shall not receive any additional
22 salary adjustments ~~provided by this Act~~ other than those
23 provided by this subsection.

24 Sec. 3. CIVIL TRIALS — LOCATION. Notwithstanding any
25 provision to the contrary, for the fiscal year beginning July
26 1, 2017, and ending June 30, 2018, if all parties in a case
27 agree, a civil trial including a jury trial may take place in a
28 county contiguous to the county with proper jurisdiction, even
29 if the contiguous county is located in an adjacent judicial
30 district or judicial election district. If the trial is moved
31 pursuant to this section, court personnel shall treat the case
32 as if a change of venue occurred. However, if a trial is moved
33 to an adjacent judicial district or judicial election district,
34 the judicial officers serving in the judicial district or
35 judicial election district receiving the case shall preside

1 over the case.

2 Sec. 4. TRAVEL REIMBURSEMENT. Notwithstanding section
3 602.1509, for the fiscal year beginning July 1, 2017, and
4 ending June 30, 2018, a judicial officer may waive travel
5 reimbursement for any travel outside the judicial officer's
6 county of residence to conduct official judicial business.

7 Sec. 5. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding
8 the annual salary rates for judicial officers established by
9 2013 Iowa Acts, chapter 140, section 40, for the fiscal year
10 beginning July 1, 2017, and ending June 30, 2018, the supreme
11 court may by order place all judicial officers on unpaid leave
12 status on any day employees of the judicial branch are placed
13 on temporary layoff status. The biweekly pay of the judicial
14 officers shall be reduced accordingly for the pay period in
15 which the unpaid leave date occurred in the same manner as
16 for noncontract employees of the judicial branch. Through
17 the course of the fiscal year, the judicial branch may use an
18 amount equal to the aggregate amount of salary reductions due
19 to the judicial officer unpaid leave days for any purpose other
20 than for judicial salaries.

21 Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the intent
22 of the general assembly that the judicial branch utilize
23 the Iowa communications network or other secure electronic
24 communications in lieu of traveling for the fiscal year
25 beginning July 1, 2017, and ending June 30, 2018.

26 Sec. 7. ENHANCED COURT COLLECTIONS FUND AND COURT
27 TECHNOLOGY AND MODERNIZATION FUND. Notwithstanding section
28 602.1304, subsection 2, paragraph "c", and section 602.8108,
29 subsection 9, for the fiscal year beginning July 1, 2017, and
30 ending June 30, 2018, in addition to the purposes specified
31 in section 602.1304, subsection 2, paragraph "c", and in
32 section 602.8108, subsection 9, the moneys in the funds may be
33 used by the judicial branch for operational costs and other
34 miscellaneous purposes and duties.

35 Sec. 8. TOTAL EXPENDITURE REQUIREMENTS OF JUDICIAL BRANCH

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(amending this HF 645 to CONFORM to SF 508)

1 — DEPARTMENT OF MANAGEMENT. When the supreme court submits to
2 the director of the department of management an estimate of the
3 total expenditure requirements of the judicial branch pursuant
4 to section 602.1301, subsection 2, paragraph "b", before
5 December 1, 2017, for the succeeding fiscal year, the director
6 of the department of management shall submit the estimate
7 received from the supreme court for inclusion without change
8 in the governor's proposed budget for the succeeding fiscal
9 year, except that portion of the total expenditure requirements
10 that includes any increase of the salary rate for a judicial
11 position established in 2013 Iowa Acts, chapter 140, section
12 40, which shall not be included in the governor's proposed
13 budget for the succeeding fiscal year.

14 DIVISION II

15 FY 2018-2019

16 Sec. 9. JUDICIAL BRANCH.

17 1. There is appropriated from the general fund of the state
18 to the judicial branch for the fiscal year beginning July 1,
19 2018, and ending June 30, 2019, the following amounts, or so
20 much thereof as is necessary, to be used for the purposes
21 designated:

22 a. For salaries of supreme court justices, appellate court
23 judges, district court judges, district associate judges,
24 associate juvenile judges, associate probate judges, judicial
25 magistrates and staff, state court administrator, clerk of the
26 supreme court, district court administrators, clerks of the
27 district court, juvenile court officers, board of law examiners
28 and board of examiners of shorthand reporters and judicial
29 qualifications commission; receipt and disbursement of child
30 support payments; reimbursement of the auditor of state for
31 expenses incurred in completing audits of the offices of the
32 clerks of the district court during the fiscal year beginning
33 July 1, 2018; and maintenance, equipment, and miscellaneous
34 purposes:

35 \$ 87,843,306

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1 b. For deposit in the revolving fund created pursuant to
2 section 602.1302, subsection 3, for jury and witness fees,
3 mileage, costs related to summoning jurors, costs and fees for
4 interpreters and translators, and reimbursement of attorney
5 fees paid by the state public defender:
6 \$ 1,550,000

7 2. The judicial branch, except for purposes of internal
8 processing, shall use the current state budget system, the
9 state payroll system, and the Iowa finance and accounting
10 system in administration of programs and payments for services,
11 and shall not duplicate the state payroll, accounting, and
12 budgeting systems.

13 3. The judicial branch shall submit monthly financial
14 statements to the legislative services agency and the
15 department of management containing all appropriated accounts
16 in the same manner as provided in the monthly financial status
17 reports and personal services usage reports of the department
18 of administrative services. The monthly financial statements
19 shall include a comparison of the dollars and percentage
20 spent of budgeted versus actual revenues and expenditures on
21 a cumulative basis for full-time equivalent positions and
22 dollars.

23 4. The judicial branch shall focus efforts upon the
24 collection of delinquent fines, penalties, court costs, fees,
25 surcharges, or similar amounts.

26 5. It is the intent of the general assembly that the offices
27 of the clerks of the district court operate in all 99 counties
28 and be accessible to the public as much as is reasonably
29 possible in order to address the relative needs of the citizens
30 of each county.

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32 section 8.39, the judicial branch shall not change the
33 appropriations from the amounts appropriated to the judicial
34 branch in this division of this Act, unless notice of the
35 revisions is given prior to their effective date to the

1 legislative services agency. The notice shall include
2 information on the branch's rationale for making the changes
3 and details concerning the workload and performance measures
4 upon which the changes are based.

5 7. The judicial branch shall submit a semiannual update
6 to the legislative services agency specifying the amounts of
7 fines, surcharges, and court costs collected using the Iowa
8 court information system since the last report. The judicial
9 branch shall continue to facilitate the sharing of vital
10 sentencing and other information with other state departments
11 and governmental agencies involved in the criminal justice
12 system through the Iowa court information system.

13 8. The judicial branch shall provide a report to the general
14 assembly by January 1, 2019, concerning the amounts received
15 and expended from the enhanced court collections fund created
16 in [section 602.1304](#) and the court technology and modernization
17 fund created in [section 602.8108, subsection 9](#), during the
18 fiscal year beginning July 1, 2017, and ending June 30, 2018,
19 and the plans for expenditures from each fund during the fiscal
20 year beginning July 1, 2018, and ending June 30, 2019. A copy
21 of the report shall be provided to the legislative services
22 agency.

23 Sec. 10. CIVIL TRIALS — LOCATION. Notwithstanding any
24 provision to the contrary, for the fiscal year beginning July
25 1, 2018, and ending June 30, 2019, if all parties in a case
26 agree, a civil trial including a jury trial may take place in a
27 county contiguous to the county with proper jurisdiction, even
28 if the contiguous county is located in an adjacent judicial
29 district or judicial election district. If the trial is moved
30 pursuant to this section, court personnel shall treat the case
31 as if a change of venue occurred. However, if a trial is moved
32 to an adjacent judicial district or judicial election district,
33 the judicial officers serving in the judicial district or
34 judicial election district receiving the case shall preside
35 over the case.

1 administer justice throughout the state. The state court
2 administrator shall submit a report to the chairpersons of the
3 joint appropriations subcommittee on the justice system and
4 the legislative services agency, fiscal services division,
5 by October 2, 2017, and October 1, 2018, respectively,
6 detailing the establishment of any new policies and procedures
7 implemented pursuant to this section that efficiently and
8 effectively administer justice throughout the state.>

WORTHAN of Buena Vista